

FILED
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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JW

Francis W. Davis

Plaintiff,

vs.

Warden Ken Clark

Defendant.

CV 08 3933

CASE NO. _____

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

(PR)

I, Francis W. Davis, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☒ No ☐

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \$0.65 x 150 hours equal \$97.50 a month. Net: Minus 65% gives me \$34.25 monthly.

Employer: I am employed by Prison Authority Industry (PIA), I make \$0.65 an hour and we work 150 hours a month.

If the answer is "no," state the date of last employment and the amount of the gross and net salary

1 and wages per month which you received. (If you are imprisoned, specify the last place of
 2 employment prior to imprisonment.)

3 _____
 4 _____
 5 _____

6 2. Have you received, within the past twelve (12) months, any money from any of the following
 7 sources:

8 a. Business, Profession or
 9 self employment

Yes ____ No ☒

10 b. Income from stocks, bonds,
 11 or royalties?

Yes ____ No ☒

12 c. Rent payments?

Yes ____ No ☒

13 d. Pensions, annuities, or
 14 life insurance payments?

Yes ____ No ☒

15 e. Federal or State welfare payments,
 16 Social Security or other govern-
 17 ment source?

Yes ____ No ☒

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
 19 received from each.

20 _____
 21 _____

22 3. Are you married?

Yes ____ No ☒

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

27 4. a. List amount you contribute to your spouse's support : \$ _____

28 b. List the persons other than your spouse who are dependent upon you for support

PRIS. APPLIC. TO PROC. IN FORMA

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).
 5 _____
 6 _____

7 5. Do you own or are you buying a home? Yes ___ No ☒
 8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____
 9 6. Do you own an automobile? Yes ___ No ☒
 10 Make _____ Year _____ Model _____
 11 Is it financed? Yes ___ No ___ If so, Total due: \$ _____
 12 Monthly Payment: \$ _____
 13 7. Do you have a bank account? Yes ___ No ☒ (Do not include account numbers.)
 14 Name(s) and address(es) of bank: _____
 15 _____
 16 Present balance(s): \$ _____
 17 Do you own any cash? Yes ___ No ___ Amount: \$ _____
 18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ___ No ☒
 20 _____

21 8. What are your monthly expenses? *I'm in prison.*
 22 Rent: \$ _____ Utilities: _____
 23 Food: \$ _____ Clothing: _____
 24 Charge Accounts:
 25

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

 28 _____ \$ _____ \$ _____ 9. Do

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ___ No ☒

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

08-12-08

DATE

Francis W. Davis

SIGNATURE OF APPLICANT

1. To: Inmate Trust Account Office

2. CSATF State Prison

3. P.O. Box 5242

4. Corcoran, Ca. 93212-5242

5. From: Francis W. Davis #K-80609

6. CSATF State Prison

7. P.O. Box 5242 / D-2-104 Low

8. Corcoran, Ca. 93212-5242

9. Reason: Six month printout

11. Dear Trust Office Worker:

12. Would you please fill out
13. this form for me so I can submit it to the Court.
14. I will really appreciate your assistance with this
15. documentation. Thank You

16. Dated: 07-29-08

Sincerely,

Francis W. Davis

2008 JUL 30 AM 9:42

Case Number: _____

CERTIFICATE OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of FRANCIS WAYNE DAVIS for the last six months at [prisoner name]

CSATE where (s)he is confined.
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 55.06 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 68.42.

Dated: 7/31/08

m. Jordan
[Authorized officer of the institution]

REPORT ID: TS3030 .701

REPORT DATE: 07/30/08
PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
SAFE/SP AT CORCORAN
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU JUL. 30, 2008

ACCOUNT NUMBER : K80609
ACCOUNT NAME : DAVIS, FRANCIS WAYNE
PRIVILEGE GROUP: A
BED/CELL NUMBER: FDB2T1000000104L
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

DATE	TRAN	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
02/01/2008		BEGINNING BALANCE					51.00
02/07*VD50		INMATE-PAYROL	4006/01-08		63.70		114.70
02/07 W215		FEDERAL FILIN	4035/1370			12.74	101.96
02/08 FC04		DRAW-FAC 4	4061/FAC-D			4.50	97.46
03/05*VD50		INMATE-PAYROL	4480/02-08		58.22		155.68
03/05 W215		FEDERAL FILIN	4498/1370			11.64	144.04
03/06 FC04		DRAW-FAC 4	4519/FAC-D			22.15	121.89
03/25 W515		COPY CHARGE	4828/COPY			0.20	121.69
04/02 W415		CASH WITHDRAW	4906/BOOKS 300048027			106.00	15.69
04/07*VD50		INMATE-PAYROL	4946/03-08		54.41		70.10
04/07 W215		FEDERAL FILIN	4984/1370			10.88	59.22
04/16 W516		LEGAL COPY CH	5179/LCOPY			5.80	53.42
05/06*VD50		INMATE-PAYROL	5469/04-08		54.27		107.69
05/06 W215		FEDERAL FILIN	5516/1370			3.12	104.57
05/07 FC04		DRAW-FAC 4	5534/FAC-D			3.90	100.67
05/12 W514		VISION CARE C	5638/REC'D			94.00	6.67
05/22 W516		LEGAL COPY CH	5835/LCOPY			2.75	3.92
05/27 FRO1		CANTEEN RETUR	705878			3.90-	7.82
06/05*VD50		INMATE-PAYROL	6049/05-08		49.00		56.82
06/05 W215		FEDERAL FILIN	6054/1370			9.80	47.02
06/06 FC04		DRAW-FAC 4	6069/FAC-D			21.50	25.52
07/01 W516		LEGAL COPY CH	0028/LCOPY			1.90	23.62
07/07*VD50		INMATE-PAYROL	0071/06-08		50.76		74.38
07/07 W215		FEDERAL FILIN	0108/1370			4.50	69.88
07/08 FC04		DRAW-FAC 4	0129/FAC-D			20.00	49.88
07/08 W536		COPAY CHARGE	0143/16891			5.00	44.88

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 01/08/98
COUNTY CODE: SCL
CASE NUMBER: 193679
FINE AMOUNT: \$ 10,000.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
02/01/2008		BEGINNING BALANCE		8,968.20

SATF/SP AT CORCORAN
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU JUL. 30, 2008

ACCT: K80609

ACCT NAME: DAVIS, FRANCIS WAYNE

ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 01/08/98
COUNTY CODE: SCL

CASE NUMBER: 193679
FINE AMOUNT: \$ 10,000.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
02/07/08	VR50	RESTITUTION DEDUCTION-INDUSTRY	70.77-	8,897.43
03/05/08	VR50	RESTITUTION DEDUCTION-INDUSTRY	64.67-	8,832.76
04/07/08	VR50	RESTITUTION DEDUCTION-INDUSTRY	60.45-	8,772.31
05/06/08	VR50	RESTITUTION DEDUCTION-INDUSTRY	60.29-	8,712.02
06/05/08	VR50	RESTITUTION DEDUCTION-INDUSTRY	54.44-	8,657.58
07/07/08	VR50	RESTITUTION DEDUCTION-INDUSTRY	56.39-	8,601.19

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
51.00	330.36	336.48	44.88	0.00	0.00

CURRENT
AVAILABLE
BALANCE
44.88



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
JUL 30 2008
ATTEST:
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY *[Signature]*
TRUST OFFICE